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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,440	08/08/2001	Hideki Matsunaga	110331	9076
25944	7590	08/13/2004	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			I.Y, ANH	
			ART UNIT	PAPER NUMBER
			2172	

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/923,440

Applicant(s)

MATSUNAGA, HIDEKI

Examiner

Anh Ly

Art Unit

2172

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 20 July 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, ~~the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered~~ and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-18.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____.

ALFORD KINDRED
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because:

Applicant argued that, "the admitted failure of Van Dyke to teach defining a retrieval condition for retrieving an object makes it possible for Van Dyke to set an identifier for identifying an object in association with a retrieval condition for retrieving the object." (Page 3, lines 6-8 and lines 15-18).

Van Dyke et al. of 6,412,070 (hereinafter Van Dyke) does not clearly teach a retrieval condition for retrieving an object. Van Dyke does teach retrieving the security information in the security descriptor or querying a schema of the corresponding object in order to display a list of all the control access rights that have been defined for that object col. 8, lines 55-67, col. 9, lines 3-30 and line 36-48, also see fig. 6 and fig. 7). However, Kobayashi et al. of 6,275,825 (hereinafter Kobayashi) teach retrieval condition for retrieving an object via an SQL or Select statement, (SELECT, FROM, and WHERE). Data item as object, see fig. 8 and fig. 3, col. 4, lines 15-67). The motivation is that to retrieve a requested object based on the definition or condition in the defined access control rights ('070 - col. 8, lines 55-67 and col. 9, lines 1-10).

Applicant argued that, "No text corresponding to the steps of flowchart in Fig. 6 is cited as allegedly disclosing "performing access control for an object matching the retrieval condition on the basis of the access right." (Page 3, lines 19-21).

In the office action dated 04/07/2004, Examiner does not set the fig. 6 for the above the claim limitation.

Thus, The arguments of applicant are not persuasive.